

UNAPPROVED DRAFT

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE: Special Conference Committee "A" convened on April 15, 2011 at 11:06 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 11:06 a.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Gail Ross, Adjudication Specialist

QUORUM: All three members of the Committee were present.

**Hugh C. Dowdy, III, DDS
Case No.: 132323** Dr. Dowdy appeared without counsel to discuss the allegations set forth in a Notice of the Board dated March 2, 2011. The Committee received statements from Dr. Dowdy and discussed the allegations with him.

Closed Meeting: Dr. Levin moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Dr. Levin moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No. 132323** Ms. Ross reported the Committee found that while performing a root canal treatment, Dr. Dowdy failed to remove all necrotic tissue from Patient's A's tooth #31, and subsequently placed a crown on Patient A's tooth #31.

Pursuant to a Board Order entered March 19, 2008, Dr. Dowdy completed 7 hours of continuing education in recordkeeping and risk management on September 23, 2008. Dr. Dowdy failed to maintain properly documented records for Patient A after completion of said continuing education.

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The sanctions reported by Ms. Ross were that Dr. Dowdy shall be assessed a \$2,000 monetary penalty; complete not less than three hours of continuing education in recordkeeping, and six hours of continuing education in endodontics.

Dr. Petticolas moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE: 12:33 p.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Kelley Wynne, Adjudication Specialist

QUORUM: All three members of the Committee were present.

**Scheherazad Sherry
Anoushfah, DDS
Case No.: 132514** Dr. Anoushfah appeared with counsel, Richard Murray, to discuss the allegations set forth in a Notice of the Board dated February 11, 2011. The Committee received statements from Dr. Anoushfah and Mr. Murray and discussed the allegations with them.

Closed Meeting: Dr. Levin moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Dr. Levin moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

DECISION:
Case No. 132514 Ms. Wynne reported that the Committee found Dr. Anoushfah failed to provide a patient with an itemized billing statement upon request. Dr. Anoushfah also violated the Code of Virginia in that since September 2008, she advertised her practice under the assumed name of Sherry Anoushfah, D.D.S., PC, rather than Scheherazad Anoushfah, D.D.S., the name under which she was licensed. Dr. Anoushfah provided the Committee with documentation of having legally changed her name to Scheherazad Sherry Anoushfah.

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The sanction reported by Ms. Wynne was that Dr. Anoushfar shall complete the Virginia Dental Law Examination.

Dr. Petticolas moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE:

2:00 p.m.

PRESIDING:

Martha C. Cutright, D.D.S.

MEMBERS PRESENT:

Jeffrey Levin, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Leigh Kiczales, Adjudication Specialist

QUORUM:

All three members of the Committee were present.

**Russell E. Bogacki, DDS
Case No.: 130478**

Dr. Bogacki appeared with counsel, Marc A. Brown, to discuss the allegations set forth in a Notice of the Board dated February 25, 2011. The Committee received statements from Dr. Bogacki and Mr. Brown and discussed the allegations with them.

Closed Meeting:

Dr. Levin moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Levin moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No. 132514**

Ms. Kiczales reported that the Committee found Dr. Bogacki placed veneers on Patient A's teeth but failed to completely remove all excess bonding material, leaving the patient unable to maintain proper dental hygiene. Dr. Bogacki also failed to document in Patient A's record the date of delivery of the veneers.

The sanction reported by Ms. Kiczales was that Dr. Bogacki shall be reprimanded.

Approval of Minutes:

Upon a motion by Dr. Levin, the minutes from the Informal Conference conducted on March 4, 2011 were approved.

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ADJOURNMENT: With all business concluded, the Committee adjourned at 3:15 p.m.

Martha C. Cutright, DDS, Chair

Sandra K. Reen, Executive Director

Date

Date